

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

LONNIE LYNN JOHNSON, #468254	§	
VS.	§	CIVIL ACTION NO. 6:18cv471
DIRECTOR, TDCJ-CID	§	

ORDER OF DISMISSAL

Petitioner Lonnie Johnson, a prisoner confined at the Wynne Unit within the Texas Department of Criminal Justice (TDCJ), proceeding *pro se*, filed this habeas petition complaining about his Anderson County convictions. The petition was referred to the United States Magistrate Judge, the Honorable John D. Love, for findings of fact, conclusions of law, and recommendations for the disposition of the case.

On August 15, 2019, Judge Love issued a Report, (Dkt. #20), recommending that Johnson's habeas petition be dismissed, with prejudice. A copy of this Report was sent to Johnson at his last known address; return receipt requested. The docket reflects that Johnson received a copy of the Report on August 23, 2019, (Dkt. #21). However, to date, no objections to the Report have been filed.

Because no objections to Judge Love's Report have been filed, Johnson is barred from *de novo* review by the District Judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to proposed factual findings and legal conclusions accepted and adopted by the district court. *Douglass v. United Services Auto. Ass'n.*, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*).

The court has reviewed the pleadings in this cause and the Report of the Magistrate Judge. Upon such review, the court has determined that the Report of the Magistrate Judge is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918, 109 S.Ct. 3243 (1989) (where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law."). Accordingly, it is


**ORDERED** that the Report of the United States Magistrate Judge, (Dkt. #20), is **ADOPTED** as the opinion of the court. Further, it is

**ORDERED** that Petitioner Johnson's petition for a writ of habeas corpus is **DISMISSED**, with prejudice. Moreover, it is

**ORDERED** that Petitioner Johnson is **DENIED** a certificate of appealability *sua sponte*. Finally, it is

**ORDERED** that any and all motions which may be pending in this civil action are hereby **DENIED**.

**SIGNED** this the **15** day of **October, 2019**.

  
Thad Heartfield  
United States District Judge